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Testimony of Eric Knapp
Planning & Zoning Section of the Connecticut Bar Association
House Bill 6690, An Act Concerning Municipal Lobbying
Government Administration & Elections Committee
March 23, 2009

Senator Slossberg, Representative Spallone, members of the Government Administration & Elections Committee, thank you for the opportunity to appear before your Committee to comment on House Bill 6690, An Act Concerning Municipal Lobbying.

My name is Eric Knapp. I am a partner in the law firm of Branse Willis and Knapp and I am also a member of the Executive Committee of the Connecticut Bar Association Planning & Zoning Section and one of its two Legislative Liaisons. The CBA Planning & Zoning Section consists of over 350 members who have a great interest in laws that affect the practice of land use law in this state. The Section recognizes that House Bill 6690 goes a long a way to address the concerns that the Section has raised in past legislative sessions concerning municipal lobbying bills. In fact, we are here today to thank and congratulate Representative Spallone for his diligent efforts in reaching out to our Section and listening to our comments.

In the past, the Planning and Zoning Section of the Connecticut Bar Association has voiced its concern that this bill attacked a real problem in a manner which would not appreciably solve it. This year's text is a vast improvement over previous year's versions, although the Section is still not certain that it will do what the Legislature hopes. While our Section is not in a position to endorse this bill, I am here to state that, in its present form, we will not actively be

opposing it. The definition of “municipal lobbying” has now been amended in the way I suggested during my testimony before this committee last year, and the Section would like to acknowledge that.

The Section’s principal concern remains that the bill’s definition of “lobbying” could be construed to cover many aspects of standard land use practice, despite the revised text. Creating the concept of “municipal lobbying” opens the door to regulation of the very sorts of activities small town residents cherish, *i.e.* speaking your mind to a local official. The definition could eventually require both land use lawyers and other professionals who appear before local boards (such as surveyors, engineers, and soil scientists) to register as “lobbyists” simply by virtue of their representation of a land use applicant before local authorities.

The CBA Planning & Zoning Section appreciates the opportunity afforded it to play a constructive role in the development of this legislation. We have met with key lawmakers on this committee and are grateful that many of the suggestions we have made with respect to previous legislative efforts are incorporated into House Bill 6690. Because of its ongoing concerns with the definition of “lobbying” in the bill, the Section will not support House Bill 6690. However, because many of the Section’s concerns have been addressed, the Section is not opposed to House Bill 6690 as it is currently drafted. Mostly, what the Section wishes to convey is its gratitude to Representative Spallone for his efforts to reach out to our Section and address our concerns.

Thank you, again, the opportunity to speak on House Bill 6690. I would be happy to answer any questions that you may have.